

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

— versus —

ANAS AL LIBY,

Defendant.

98-cr-1023 (LAK)

Notice of Motion

PLEASE TAKE NOTICE that the above named defendant, ANAS AL-LIBY, by and through his attorney of record, Bernard V. Kleinman, Esq., will move this Court before the Hon. Lewis Kaplan, United States District Judge, Southern District of New York, in the United States Courthouse at 500 Pearl Street, New York, NY, at a time that is convenient to the Court for an order, pursuant to Federal Rule of Criminal Procedure R. 16(a)(1)(A), (B), and (E):

1. Directing the Government to preserve certain notes and records of interviews and interrogations of the above-named Defendant under F.R.Crim.P. 16,
2. Directing the Government to turn over to Counsel for the above-named Defendant, all records, notes (in whatever form created and preserved, be they written, video, audio or otherwise), made during and after the interrogation and questioning of the Defendant as set forth in the Declaration and Memorandum annexed hereto,

- 1 3. Directing the Government to provide the names and identification of the party or
2 parties who participated in the aforesaid interrogation, including any parties who
3 directed or otherwise authorized said interrogation, and/or received any reports or
4 notes of said interrogation;
- 5 4. Directing the Government to provide the names of any and all parties who
6 participated in, or directed or otherwise authorized the seizure and kidnapping of
7 the above-named Defendant;
- 8 5. Directing the Government to allow counsel for the Defendant an opportunity to
9 inspect the place and location of the interrogation conducted of the Defendant
10 onboard the U.S.S. San Antonio, including the location where the Defendant was
11 physically held aboard ship,
- 12 6. Granting to Counsel for the above-named Defendant permission to file any
13 motions subsequent to receipt of any additional discovery based upon said
14 discovery, including any substantive motions under Rule 12, such as, but not
15 limited to, a motion to dismiss the indictment pursuant to F.R. Crim. P.
16 12(b)(3)(A), (B);
- 17 7. Directing the Government to turn over to Counsel for the above-named Defendant
18 all records and notes held by the United States Government relating to any
19 requests, contact, or demands, in whatever form made, as made by the United
20 States Government to the Government of the State of Libya, or its predecessor

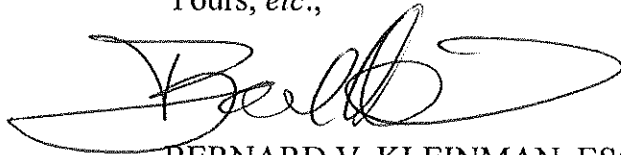
1 Governments, including those under Col. Muammar Qaddafi, relating to the
2 above-named Defendant; and

3 8. for such further and additional relief as this Court shall deem just and proper.

4 Dated: White Plains, NY
5 February 3, 2014

6 Yours, etc.,

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To: Hon. Lewis Kaplan
United States District Judge
Southern District of New York

All Counsel of Record via ECF

Nazih al Raghie, Reg. No. 69539-054